

HOUSE No. 4563

The Commonwealth of Massachusetts

PRESENTED BY:

Jason Lewis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to reorganize the Board of the Commonwealth Zoological Corporation .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jason Lewis	31st Middlesex
Elizabeth A. Malia	11th Suffolk
John A. Hart, Jr.	First Suffolk
Richard R. Tisei	Middlesex and Essex

**MEMORANDUM OF THE
MASSACHUSETTS SECRETARY OF STATE
IN RESPECT TO THE PETITION OF
JASON LEWIS, ELIZABETH A. MALIA AND OTHERS
RELATIVE TO THE REORGANIZATION OF THE
ZOOLOGICAL CORPORATION BOARD**

March 9, 2010

To the Honorable Senate and House of Representatives:

The above-referenced petition was transmitted to me by the Chairman of the Committee on Rules on March 4, 2010 with a request for a memorandum pursuant to Massachusetts General Laws Chapter 3 § 7.

The bill before you seeks to reorganize the board of directors of the corporation by increasing the size of the board from 15 to 30. Two members shall be appointed by the governor and serve at his pleasure; one member shall be appointed by the mayor of Boston and serve at his pleasure; and the remaining 27 members shall be appointed by the board. All board members shall be appointed for a term of four years, are eligible for reappointment and shall have full and equal voting rights. The board may remove any member for cause. The board shall elect the chairperson of the board.

Special legislation is necessary to effect the desired result. This office has no opinion on the merits of the legislation. No fee is required to be paid by a corporation of this type under the provisions of Chapter 3 § 7.

Respectfully submitted,

WILLIAM FRANCIS GALVIN /S/

William Francis Galvin
Secretary of the Commonwealth

WFG/prg

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act to reorganize the Board of the Commonwealth Zoological Corporation .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 2 of said chapter 92B, as appearing in the 2008 Official Edition, is hereby amended by striking out the fourth and fifth paragraphs and inserting in place thereof the following paragraphs:-

The corporation shall be governed and its corporate powers exercised by the board, which shall consist of 30 members appointed in the following manner: 2 members shall appointed by the governor and serve at the governor's pleasure; 1 member shall be appointed by the mayor of Boston and serve at the mayor's pleasure; and, 27 members shall be appointed by the board.

Notwithstanding any special or general law to the contrary, all board members shall serve for 4 years. Members shall be eligible for reappointment. Any person appointed to fill a vacancy shall serve for the remainder of the term. Any member may be removed by the board for just cause.

All members of the board shall exercise full and equal voting privileges.

SECTION 2. Section 2 of said chapter 92B, as so appearing, is hereby further amended by striking out, in line 34, the word "seven" and inserting in place thereof the word "thirteen".

SECTION 3. Section 2 of said chapter 92B, as so appearing, is hereby further amended by striking out in the first sentence of the seventh paragraph the first sentence and inserting in place thereof the following sentence:-

The board shall elect the chairperson of the board.

SECTION 4. Notwithstanding any general or special law to the contrary, the current board members of the Commonwealth Zoological Corporation, established in chapter 92B, shall appoint the additional board appointed members needed to increase the board to 27 board appointed members, as provided for under this act. Of the board appointments made under this act, an initial 9 members shall serve for a term of 2 years, 9 members shall serve for 3 years, and 9 for 4 years.

22 The current board members shall serve until the expiration of their term or December 31, 2011, whichever
23 is later.